

- E. Claims 39, 40-42, 44-47, 57 and 58 as being unpatentable over Beesely in view of Terao in further view of Kusunoki, in further view of Yokoi et al. (US 5,962,970).
- F. Claims 43 and 48 as being unpatentable over Beesely in view of Terao in further view of Kusunoki, in further view of Yokoi, in further view of Codama.

Each of these rejections is respectfully traversed.

More specifically, each of these rejections relies upon a combination of Beesely and Terao.

As explained in depth below, the combination of these references to arrive at the claimed invention is flawed and improper.

Independent Claim 1 recites at least one wiring interposed between the insulator and the anode, while independent Claims 13, 34, 39, 44, and 49 recite first wiring and second wiring interposed between the insulator and the anode. The Examiner admits that these features are not disclosed by Beesely.

As a result, the Examiner cites Terao and contends that Terao shows that a light emitting apparatus having a wiring on the edge of an anode in a configuration similar to Beesely can also be positioned between the insulator and the anode and “is a matter of design choice which will allow for different manufacturing methods which can meet different manufacturing requirements”. Applicants respectfully disagree that this is merely a matter of design choice.

In the claimed invention, an insulating film is provided over the edge of the anode so as to not contact the wiring with the luminescent material. Applicants have discovered that the area in which the anode overlaps with the insulating film can be less wherein the wiring is positioned under the anode (see e.g. Figs. 7C and 7D) than where the wiring is positioned over the anode (see e.g. Figs. 7A and 7B). Applicants discovered that by covering the anode with the wiring (as in Figs. 7A and 7B), the effective anode area becomes small. Further, the effective anode area becomes smaller

by covering the wiring with the insulating film. Applicants discovered that a more effective light-emitting area of a pixel can be obtained by using the claimed invention and having at least one wiring interposed between the insulator and the anode or having first wiring and second wiring interposed between the insulator and the anode (as in Figs. 7C and 7D of the present application) as opposed to the structure in Figs. 7A and 7B. Hence, the positioning of the wiring is not a matter of design choice. Therefore, this basis by the Examiner for combining references is flawed and improper.

The Examiner also contends that “it would have been obvious to one having ordinary skill in the art at the time of the invention was made to construct the light emitting apparatus of Beesely with the wiring configuration of Terao to allow for a more modular device which can be manufactured differently to accommodate specific manufacturing equipment.” Applicants respectfully submit that the Examiner’s combination of references to arrive at the claimed invention is improper.

MPEP §2143.01 states that “Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art.” The Examiner has not met this burden in his alleged motivation to combine references.

More specifically, Applicants could find no disclosure in either Beesely nor Terao of the Examiner’s alleged motivation “to allow for a more modular device which can be manufactured differently to accommodate specific manufacturing equipment.” Hence, the Examiner has failed to provide the necessary teaching or motivation to combine references, and the rejection based thereon is improper.

Accordingly, for at least the above-stated reasons, it is respectfully submit that the rejection of the claims are flawed and improper, and the claims are patentable. Therefore, it is respectfully requested that these rejection be withdrawn.

Conclusion


It is respectfully submitted that the present application is now in a condition for allowance and should be allowed.

If any further fee should be due for this response, please charge our deposit account 50/1039.

Favorable reconsideration is earnestly solicited.

Respectfully submitted,

Dated: *October 19, 2005*

  
Mark J. Murphy  
Registration No. 34,225

COOK, ALEX, McFARRON, MANZO,  
CUMMINGS & MEHLER, LTD.  
200 West Adams Street, Suite 2850  
Chicago, Illinois 60606  
(312) 236-8500

Customer no. 000026568